

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

No. CR 12-3182 JB

JONATHON ULIBARRI,

Defendant.

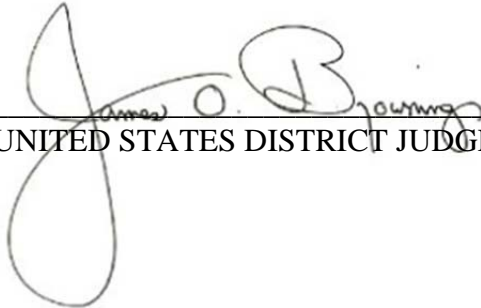
**ORDER GRANTING LEAVE TO  
TO RE-JOIN OR RE-FILE MOTION TO SUPPRESS AFTER WITHDRAWAL**

THIS MATTER having come before the Court on Defendant Jonathan Ulibarri's Unopposed Motion for Leave to Re-join or Re-file the pending Motion to Suppress and the Court being advised in the basis therefore, including the parties desire to continue plea negotiations and the government's requirement that Defendant Ulibarri withdraw from the pending Motion to Suppress as a condition of continuing those negotiations,

The Court FINDS that the interests of justice require that the parties have a full opportunity to attempt to negotiate a resolution that does not require the time and expense of a trial. The Court FURTHER FINDS that a successful negotiated resolution by plea agreement promotes judicial economy.

IT IS HEREBY ORDERED that Defendant Jonathan Ulibarri is withdrawn from the presently pending Joint Motion to Suppress Evidence. IT IS FURTHER ORDERED THAT, should the negotiations between Defendant Jonathon Ulibarri and the government fail to reach a mutually-acceptable resolution, then Defendant shall be able to re-join or, if not currently pending before the Court, re-file the Motion to Suppress.

This Order does not exempt Defendant Ulibarri from the effect of any rulings made by the Court on the issues raised in the pending Joint Motion to Suppress that may have already been entered by the Court at the time any negotiations may fail or be terminated. Any decision of the Court that has already been entered shall be binding upon Defendant once entered and Defendant shall not be entitled to relitigate any holding of the Court.



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UNITED STATES DISTRICT JUDGE

Submitted By:

**AEQUITAS LAW, LLC**

**“Electronically Submitted”**

/s/ David Z. Ring IV

Attorney for Defendant Jonathon Ulibarri

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Approved By:

DAMON P. MARTINEZ

United States Attorney

**“Approved via Electronic Mail”**

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